IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.1000 OF 2003
IN
SUMMARY SUIT NO.1789 OF 2003

Smt.Jyoti Vikram Bheda .. Plaintiff

Vs.

M/s.Shah Data Forms & Ors. .. Defendants

Mr.Kapil Beda i/b Harakhchand & Co. for the plaintiff

Mr.M.D.Angat for the defendants

CORAM : S.U.KAMDAR, J
DATED : 12TH SEPTEMBER, 2005

P.C.:

. The amount claimed in the present suit is Rs.2,89,554/- under two promissory notes dt.16.3.00 for Rs.1.0 each.The learned counsel for the defendants states that repayment thereof is made to the broker in cash. He also contends that Roman 'XV' which is underlined in Red at Ex.A Page 13 indicates the date on which the payment is made. The defence raised is totally bogus. However, with a view to give an opportunity to the defendants to defend the suit, I direct the defendants to deposit a sum of Rs.2,80,000/-within 4 weeks failing which

plaintiffs will be entitled to decree. If the said amount is deposited the Prothonotary and Senior Master is directed to invest the same in any Nationalised Bank in Fixed Deposit initially for a period of 3 years and then renew the same from time to time till further orders of this court. If the amount is deposited then suit is to be transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.